

**COLLEGE TOWNSHIP COUNCIL  
REGULAR MEETING MINUTES**

**Thursday, October 20, 2016**

**7:00 PM**

**1481 E. College Avenue, State College, Pennsylvania**

**ATTENDED BY:**

**COUNCIL:** D. Richard Francke, Chair  
L. Eric Bernier  
Steven Lyncha

**STAFF:** Adam T. Brumbaugh, Township Manager/Secretary  
Kent N. Baker, Township Engineer  
Mark Gabrovsek, Zoning Officer  
Mark Holdren, CRPA Sr. Planner  
Mary E. Wilson, Asst. Township Secretary

**ABSENT:** Carla Stilson, Vice Chair  
Anthony Fragola, Council Member

**CALL TO ORDER:**

Chair Francke called to order the October 20, 2016, Regular College Township Council Meeting at 7:00 PM, followed by the Pledge of Allegiance.

**PUBLIC OPEN DISCUSSION:**

*No Public Open Discussion* matters were presented.

**SPECIAL PRESENTATIONS:**

**SP-1 Centre County Housing and Land Trust; Ms. Rachel Fawcett, Exec. Director**

In correspondence to Council, dated Aug. 8, 2016, Mr. Tim Schoonover, President of the Centre County Housing and Land Trust (CCHLT) Board of Directors, introduced the mission of the CCHLT as that of developing and managing affordable housing projects within Centre County. Now nearing the end of its principle project, "Thompson Place" in Patton Township, the CCHLT has positioned itself to address the administrative needs of both municipalities and developers in meeting managing the requirements of existing or future municipal affordable or workforce housing ordinances. Mr. Schoonover reported that, as CCHLT has no dedicated funding source, the agency is preliminarily requesting multi-year funding engagements with Centre Region municipalities for the establishment of CCHLT as administrator of future workforce or affordable housing projects.

Ms. Fawcett, CCHLT Executive Director, introduced CCHLT Board member George Khoury, and both received and answered questions regarding their agency's position and ability to manage affordable housing units before requesting that College Township place CCHLT on retainer at a cost of \$5,000 annually for the next three (3) years to assist with CCHLT operating costs.

Following discussion Mr. Brumbaugh, Township Manager, recommended that this funding request be considered during the 2017 budget review process.

## **SP-2 State College Police Reports; Chief John Gardner**

### **a. Proposed 2017 Police Service Hours Budget**

Newly instated Chief John Gardner, State College Police Department, presented the Proposed 2017 Police Services Budget, reflecting a total of 265 police service hours per week for 2017. This level of service represents the following breakdown of weekly hours:

|  |                 |
|--|-----------------|
| Scheduled Patrol                                   | - 156 hours;    |
| Traffic Enforcement                                | - 15 hours;     |
| Complaint Response and Specific Assignments        | - 60 hours; and |
| Detective and Community Relations/Crime Prevention | - 34 hours.     |

The hourly cost to College Township for police services in 2017 will be \$110.68 per hour for regular contracted hours of service and \$130.27 for all hours in excess of the regularly contracted hours. The premium hourly rate reflects all departmental overhead and indirect costs of providing police services.

Chief Gardner 1) confirmed that several major crimes in College Township in 2016, including two homicide cases, impacted the recommendation for increased police service hours for 2017; and 2) reported that State College Police Department (SCPD) is in the process of hiring six new officers and one supervisor to fill current vacancies.

**Mr. Bernier moved to authorize staff to execute the 2017 contract with the State College Police Department for police services for a total of 265 total weekly police service hours at an hourly rate for regular contracted hours of \$110.68 and \$130.27 for all hours in excess of the regularly contracted hours.**

**Mr. Lynch seconded the motion.**

**Motion carried unanimously.**

Mr. Brumbaugh will send letter to the SCPD confirming acceptance of these hours and rates.

**b. 2015 – 2016 Police Services Report**

Chief Gardner presented the annual police service activities review from September 1, 2015, to August 31, 2016, offering the following statistics:

- Calls for Service – 3,956 (4,077 in 2015);
- A decrease in Traffic Citations – 724 (873 in 2015);
- An increase in DUI Arrests – 28 (26 in 2015);
- A decrease in Adult Arrests – 239 (241 in 2015);
- An increase in Juvenile Arrests – 18 (14 in 2015);
- An increase in Disorderly Conduct – 158 (143 in 2015);
- A decrease in Part 1 Crime – 157, including two (2) murders (179/1 in 2015);
- An increase in Part 2 Crime – 444 (407 in 2015);
- A decrease in Total Crashes – 358 (385 in 2015);
- An increase in Reportable Crashes – 118 (135 in 2015);
- An increase in Assaults – 23 (18 in 2015); and
- A decrease in Burglaries – 3 (10 in 2015).

Chief Gardner subsequently reported on the roadways experiencing the highest number of crashes, which totaled 247 for the same review time period. The top six (6) roads are as follows:

|                                       |             |                            |
|---------------------------------------|-------------|----------------------------|
| - East College Avenue                 | 105 crashes | 17 injuries/0 fatalities;  |
| - Benner Pike (private & public rds.) | 58 crashes  | 15 injuries/0 fatalities;  |
| - Park Avenue                         | 41 crashes  | 12 injuries/0 fatalities;  |
| - South Atherton Street               | 15 crashes  | 0 injuries/0 fatalities;   |
| - Mt. Nittany Expressway              | 17 crashes  | 5 injuries/1 fatality; and |
| - Rolling Ridge Drive                 | 11 crashes  | 1 injuries/0 fatalities.   |

Council welcomed Chief Gardner to his new position and thanked him for his report.

**PLANS:**

**P-1 Preliminary/Final Land Development for Burger King; Gerald Street**

Mr. Eric Kann, P.E., Hawbaker Engineering Project Manager, and Mr. Greg Backes, Manager of Franchise Performance at Burger King, presented and responded to Council questions on the Burger King Preliminary/Final Land Development Plan. The plan proposes to demolish the existing structure on Gerald Street, the former Dunkin Donuts store. The new Burger King would be capable of seating 60 patrons and will utilize drive-through lanes. The developer, Pennsylvania Investment Properties II, L.P., requested a waiver from College Township Code, §180-16.1.A.(2), requiring a sidewalk be placed along E. College Avenue and along the eastern side of Gerald Street from the existing site entrance to the northern most property corner along Gerald Street. A sidewalk is being proposed by the developer along the eastern side of Gerald Street to provide an accessible path from the existing bus stop and crosswalk at the corner of Gerald Street and E. College Avenue to the new Burger King facility and to provide a connection to existing sidewalks located on the BB&T Bank property.

Mr. Kent Baker, Township Engineer, advised that Planning Commission (PC) recommended that Council approve this plan conditioned upon the installation of a raised island from Gerald Street; painting an arc to direct traffic from the South entrance of the bank property; changing two-way traffic south of accessible parking to one way; denial of sidewalk waiver request for E. College Avenue; addition of a painted crosswalk across Gerald Street, if approved without a crosswalk button; and, the approval of sidewalk waiver request along Gerald Street north of Burger King entrance.

Ms. Haining Schoeneman, PC-Council Liaison, clarified the reasoning for PC's conditions, as follows: 1) opposed granting the sidewalk waiver along E. College Avenue based on desire to see a more pedestrian-friendly environment; 2) agreed that a crosswalk at Gerald Street could be beneficial to pedestrians, although pedestrians could still be hit by unyielding vehicles turning from E. College Avenue onto Gerald Street; 3) recommended the island at Gerald Street entrance being raised with a four-inch mountable curb for traffic calming and safety; 4) recommended for clarity a clearly marked painted arc starting at the south entrance of bank property to direct the one-way traffic around the site; and 5) opposed traffic on site remaining two way.

Mr. Baker stressed that PennDOT would not approve the crosswalk across E. College Avenue without pedestrian push button mechanisms being installed in accordance with PennDOT requirements.

Mr. Backes, Burger King, voiced opposition to Planning Commission's recommendations, preferring that Council consider the plan as presented. In response to Council inquiry, Mr. Backes agreed to put in the necessary signal equipment for the crosswalk but asked if College Township would offer some assistance in the permitting process. College Township staff advised that it would fall to staff to submit this permit to PennDOT on behalf of the developer.

Council comments included 1) acceptance of painted island from Gerald Street, instead of raised island; 2) a short, painted arc to be painted at South entrance of bank property; 3) retaining two-way traffic on site south of accessible parking; 4) due to having an existing berm for pedestrian travel along E. College Avenue, supporting the approval of the sidewalk waiver conditioned upon the developer's installation of an alternative walkway across the upper portion of the site, as shown on this plan; and, 5) that the developer perform the engineering and construction needed for the permits and installation of crosswalk and necessary pedestrian signals, push buttons, and related signal equipment at Gerald Street intersection with E. College Avenue.

**Mr. Lynch moved to approve the Burger King Preliminary/ Final Land Development Plan, dated August 22, 2016, last revised September 27, 2016, with the following conditions:**

- 1. Obtain all required signatures on the plan;**
- 2. Pay all outstanding plan review fees;**
- 3. Add a note to the plan stating the following: "College Township Council agrees to waiving the requirements for a sidewalk along E. College Avenue and also along Gerald Street north of the site entrance driveway conditioned upon the alternative of installing a**

**walkway across the upper portion of the site as shown on this plan and for the developer to perform the engineering and construction needed for the permits and installation of crosswalk and necessary pedestrian signals, push buttons, and related signal equipment at Gerald Street intersection with East College Avenue; and**

- 4. Paint a short arc to direct traffic at the South parking lot entrance at the BB&T Bank property.**

**Mr. Bernier seconded the motion.**

**Motion carried unanimously.**

Mr. Lyncha suggested that Council keep in mind the future development of a sidewalk master plan.

Chair requested that Ms. Schoeneman make PC aware of Council's in-depth review of PC comments and Council's actions.

## **P-2 Stearns Crossing Phase 9 Subdivision; 180-Day Time Extension Request**

In written correspondence to Council, dated October 14, 2016, Mr. Baker advised that the developer of the Stearns Crossing Phase 9 Subdivision Plan was requesting a six-month extension on the 90-day time limit to record their plan. The plan, approved by Council on July 21, 2016, is before Council for its second time extension request. The extension would also allow for the completion of more of the road and infrastructure work before posting surety, thereby reducing the amount of surety that would be required. The developer stated in their request that they will post surety when paving begins next spring.

**Mr. Bernier moved to grant the 180-day time extension request for Stearns Crossing Phase 9 Subdivision.**

**Mr. Lyncha seconded the motion.**

**Motion carried unanimously.**

*Chair brought forward agenda item OB-1, Street Tree Roots Damage, for the convenience of those in the audience present for this matter.*

## **OLD BUSINESS:**

### **OB-1 Street Tree Roots Damage; Discussion**

In written correspondence to Council, dated October 14, 2016, Mr. Baker presented a draft of a proposed administrative policy that would address tree root damage to sidewalks, driveways, and yards on private property caused by Township street trees.

Ms. Mary Ann Christman, October Drive, asked what Council was going to do about the damage done specifically to her property as a result of the Township's street tree roots.

Ms. Elizabeth Lingenfelter, October Drive, asked Council if the Township's \$400 price quote for removing the street tree damaging the Lingenfelter property would remain a requirement for resolving their street tree damage issue.

Council considered where replacement trees may be planted and concurred with staff exercising its discretion on the location of replacement tree plantings.

**Mr. Bernier moved to approve the Street Tree Root Damage Policy, No. A-014, as presented.**  
**Mr. Lyncha seconded the motion.**  
**Motion carried unanimously.**

Mr. Baker advised the attending audience members affected by street tree root damage contact Mr. Baker to work out details on resolving their individual issues.

## **REPORTS:**

### **a. Manager's Update**

Mr. Adam Brumbaugh, Township Manager, presented the October 20, 2016, Manager's Update, reporting that 1) the Warner Blvd/Boalsburg Road Project ribbon-cutting was held this date. Mr. Brumbaugh also advised Council that they should anticipate an executive session being called between now and November 3<sup>rd</sup> to discuss several legal matters.

### **b. COG Regional, County, and Liaison Reports**

**Finance Committee, October 13, 2016:** Chair Francke reported that the Finance Committee recommended increasing budget for the Oak Hall Regional Park rental housing unit renovations and reported that College Township's share of the 2017 Centre Region COG budget would increase 2.28%.

**Public Services and Environmental Committee (PSEC), October 10, 2016:** Ms. Stilson reported that the PSEC 1) approved the expenditure of funds out of recycling rebate to purchase recycling bins for the Library; 2) held a discussion on UAJA service to the Penn State campus and the proposed Morgan Advanced Materials building at Innovation Park; 3) received a presentation on the new goals for MS4 municipalities to achieve by the end of the next five-year permit; and 4) received a draft report on potential expansion areas for beneficial reuse water.

**Public Safety Committee, October 11, 2016:** Mr. Lyncha reported that Public Safety Committee 1) reviewed the Benner Township/COG Emergency Management Agreement; 2) discussed the disposal options for the 1991 KME Pumper Engine #513; 3) considered locations for new fire stations; and 4) received a report from Mr. Bair, Fire Director, on a possible new model for providing HAZMAT services to participating municipalities.

**Executive Committee, October 18, 2016:** Mr. Bernier reported that the Executive Committee set the agenda for the next General Forum Meeting.

**College Township Industrial Development Authority, October 19, 2016:** Mr. Lyncha reported that the CTIDA received a report on expansion plans for the Science and Technology Institute of Central Pennsylvania (CPI), who may find funding services through CTIDA.

**c. Staff/Planning Commission/Other Committee Reports**

**Planning Commission (PC), Oct. 18, 2016:** Ms. Haining Schoeneman reported that PC reviewed, and recommended for Council approval, the Burger King Preliminary/Final Land Development Plan being proposed on Gerald Street at E. College Avenue.

**CONSENT AGENDA:**

**CA-1 Minutes, Approval of**

- a. October 6, 2016, Regular Council Meeting

**CA-2 Correspondence, Receipt of**

- /1: Letter from Mt. Nittany Medical Center, dated Sep. 28, 2016, Notice of Intent for Consumptive Use of Water
- /2: Letter from Manko Gold Katcher Fox, dated October 3, 2016, regarding Centre County Kepone Site – 200 Struble Road
- /3: Letter from First Night State College, dated October 7, 2016, regarding Sponsoring Ice Sculpture
- /4: Email from PennDOT, dated October 11, 2016, to ARRIS Int'l., regarding Final Report Approval for 60 Decibel Road Site

**CA-3 Policies; Approval of**

- a. A-013, Social Media

Prior to approval, Council received clarification on CA-2/2 and CA-2/3, agreeing to support the latter in the amount of \$275.

**Mr. Lyncha moved to approve the October 20, 2016, Consent Agenda, as presented.**

**Mr. Bernier seconded the motion.**

**Motion carried unanimously.**

**NEW BUSINESS:**

No *New Business* was presented.

**STAFF AND ABC INFORMATIVES:**

No *Staff Informatives* were pulled for discussion.

**ADJOURNMENT:**

Hearing of no additional business, Chair Francke called for a motion to adjourn. Mr. Lyncha offered a motion to adjourn, and Chair seconded the motion. Chair adjourned the October 20, 2016, Council Regular Meeting at 9:31 PM.

Respectfully submitted,

*Adam T. Brumbaugh*

Adam T. Brumbaugh  
Township Manager/Secretary